

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Kendall Wayne King, et al.

APPLICATION NO.: 09/676,249 Examiner: Swartz, Rodney P.

FILING DATE: September 29, 2000 Group Art Unit: 1645

TITLE: NUCLEIC ACIDS AND PROTEINS OF THE MYCOPLASMA  
HYOPNEUMONIAE MHP3 GENE AND USES THEREOF

MAIL STOP NON-FEE AMENDMENTS  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
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Sir:

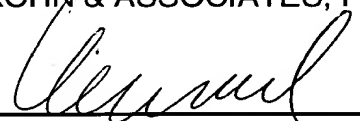
TECH CENTER 1600/2900

**STATEMENT UNDER 37 CFR 1.825**

Pursuant to 37 CFR § 1.825, attorney for Applicants state the copy of the Sequence Listing in Computer Readable Form is the same as the substitute paper copy of the Sequence Listing submitted herewith. Further, the substitute Sequence Listing data is identical to that originally filed. Finally, no new matter has been added.

The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 11-1449.

Respectfully submitted,  
KOHN & ASSOCIATES, PLLC

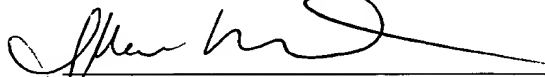
  
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Date: May 1, 2003

**CERTIFICATE OF MAILING**

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I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: MAIL STOP NON-FEE AMENDMENTS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

  
Marie M. DeWitt



1.

Application No. 09/676,249

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CAR §1.821 - §1.825 for the following reasons(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 CAR §1.821 - §1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990, and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CAR §1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CAR §1.821(c).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CAR §1.822 and/or §1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing".
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CAR §1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CAR §1.821(e).
- ☐ 7. Other: \_\_\_\_\_

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**APPLICANT MUST PROVIDE:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CAR §1.821(e) or §1.821(f) or §1.821(g) or §1.825(b) or §1.825(d).

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**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:**

For Rules Interpretation, call (703) 308-1123  
 For CRF Submission help, call (703)308-4212  
 For Patent Software help, call (703) 557-0400

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